



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,367	10/11/2001	Robert F. Kwasnick	INTL-0656-US (P10836)	9531

7590 01/28/2004

Timothy N. Trop
TROP, PRUNER & HU, P.C.
STE 100
8554 KATY FWY
HOUSTON, TX 77024-1805

EXAMINER

GUHARAY, KARABI

ART UNIT	PAPER NUMBER
----------	--------------

2879

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/975,367

Applicant(s)

KWASNICK ET AL.

Examiner

Karabi Guharay

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-13 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-13 and 15-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Art Unit: 2879

Amendment, filed on 10/27/03 has been considered and entered.

Amendment of specification has been entered. Amendment of Fig 2 overcomes the objection to the drawings.

Replacement figures, filed on 10/27/03 are approved.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-3, 7-8, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-3, & 7 recite the limitation "said resilient material". As there is no earlier recitation of "resilient material" in the claim, it is unclear as to what element the limitation is referring. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 is also rejected being dependent on claim 7.

Claim 9 recites "said black matrix lines". As there is no earlier recitation of "black matrix" in the claim, it is unclear as to what element the limitation is referring. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 11 & 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Greene et al. (US 5903328).

Regarding claims 1 & 11, Greene et al. disclose an array display comprising (Fig 1B, Fig 2) plurality of panels (tiles A, B, C, D) abutted together in side by side arrangement to form an array and defining seams (E, F of Fig 1, and also see Fig 2) between adjacent panels and a seam material (adhesive 16, lines 27-29 of column 3) around the panels (tiles), the seam material 16 of adjacent panels abutting to form the seam (lines 13-16 of column 5), optical integrator plates (cover plate 14, and back plate 200 of Fig 3 and Fig 1B) positioned over the panels (tiles), a filler material (36) between the plates (see Fig 2 and Fig 3).

Regarding claims 6 and 15-17, Greene et al. disclose that the filler material (36) between the optical integrator plates (cover plate 14 and 20) and the panels and filler material (polarizer 36) matches the optical characteristics with the optical integrator (glass cover 14 and back plate 200) positioned between the optical integrators, since image from the tiles are viewed through polarizer sheets and cover plate.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2879

Claims 2-3, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greene et al. (Us 5903328).

Regarding claims 2-3, 12-13, Greene et al. meet all the limitations except for the limitation of seam material which is an adhesive film 16 is foam, or polymer. However, it is well known in the art that the foam or polymer, like silicone rubber are low elastic modulus material, suitable as adhesive.

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use either foam or polymer such as silicone rubber since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use.

Claims 7-10, & 18-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Greene et al., as applied to claim 1, in view of Greene et al. (US 5661531).

Regarding claims 7-9, & 18-20 Greene et al. (" 328) disclose that the seam material (16) is positioned beneath the filler material 36 (see Fig 2) having an upper portion. However, do not disclose integrator plates including black matrix lines and the upper portion arranged to substantially match the optical characteristics of the black lines.

However, Green et al. in patent # 5661531 showed black matrix lines (57 of Fig 13), in the optical integrator (58) plate and further showed upper portion of the adhesive layer 163 is substantially match the optical characteristics of the black lines (here seams between the tiles are filled with light shielding layer as in black mask 57), in order to create invisible seam (lines 40 of column 10- line 23 of column 11). Thus it would

Art Unit: 2879

have been obvious to one having ordinary skill in the art at the time the invention was made to introduce black lines in the optical integrator and upper portion of the adhesive in the seam matching optical characteristics of black lines so that seams become invisible.

Regarding claim 10, Green et al. ('531) disclose that the upper portion of the adhesive 163 (which is a transparent material) is different from the resilient material (57, which is a light blocking material) between tiles.

Response to Arguments

Applicant argued that Green ('328) does not show any gap between cover plate 14. It is not understood what is meant by gap between coverplate, since term "between" should follow two things. Gap between coverplate and what?

However, Green showed gaps between coverplate and the panels as well as cover plate and back plate.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2879

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

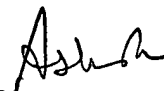
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is (571) 272-2452. The examiner can normally be reached on Monday-Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Karabi Guharay
Patent Examiner
Art Unit 2879



ASHOK PATEL
PRIMARY EXAMINER